

## Greenbelt Police Department – General Orders

	Title: <b>Light-Duty Policy</b>		Order #: <b>304</b>	
	Effective Date: April 22, 2013	Review Date: January 15, 2013 Previous Review: February 15, 2005		
	<input type="radio"/> New	<input checked="" type="checkbox"/> <b>Amends</b>	<input type="radio"/> Rescinds	
Approved by: <b>Chief James Craze</b>			CALEA 5 <sup>th</sup> Edition	
CALEA Standard:			Pages: 4	

**01 PURPOSE:** It is the purpose of this policy to establish the authority for temporary light-duty assignments and procedures for granting temporary light-duty to eligible employees within this agency.

**02** Temporary light-duty assignments, when available, are for eligible personnel in this agency who, because of injury, illness or disability are temporarily unable to perform their regular assignments but who are capable of performing alternative duty assignments. Use of temporary light-duty can provide employees with an opportunity to remain productive while convalescing as well as provide a work option for employees who may otherwise risk their health and safety or the safety of others by remaining on-duty when physically unfit for their regular assignment. Therefore, it is the policy of the Greenbelt Police Department that eligible personnel are given a reasonable opportunity to work in temporary light-duty assignments where available and consistent with this policy.

**03 DEFINITIONS:**

- A.** Eligible Personnel: For the purpose of this policy, any full-time sworn or civilian employee of this agency suffering from medically certified illness, injury or disability requiring treatment of a licensed healthcare provider and who, because of injury, illness or disability, is temporarily unable to perform the regular assignment but is capable of performing alternative assignments.
- B.** Family and Medical Leave Act (FMLA): Federal law providing for up to 12 weeks of annual leave for workers-in addition to leave provided by this agency-due to illness, injury or certain other family conditions/situations.

**04 PROCEDURES:**

**A.** General Provision:

1. Temporary light-duty positions are limited in number and variety. Therefore,
  - a. Personnel injured or otherwise disabled in the line-of-duty shall be given preference in initial assignment to light-duty; and,
  - b. Assignments may be changed at any time, upon approval of the treating physician, if deemed in the best interest of the employee or the agency.
2. This policy in no way affects the privileges of employees under provisions of the Family and Medical Leave Act, Fair Labor Standards Act, Americans with Disabilities Act, or other federal or state law.
3. Assignments to temporary light-duty shall not affect an employee's pay classification, pay increases, promotions, retirement benefits or other employee benefits.
4. No specific position within this agency will be established for use as a temporary light-duty assignment, nor shall any existing position be designated or utilized exclusively for personnel on temporary light-duty.
5. Light-duty assignments shall not be made for disciplinary purposes.

6. Depending upon the nature and extent of the disability, an employee on temporary light-duty may be prohibited or restricted from wearing the departmental uniform, carrying the service weapon, driving a marked vehicle, riding with another sworn officer in a marked vehicle or otherwise limited in employing police powers as determined by the Chief of Police, so long as such limitations are consistent with the provisions of this policy. See 03.F reference Vehicle Assignments.
  7. Decisions on temporary light-duty assignments shall be made based upon the availability of an appropriate assignment given the applicant's knowledge, skills and abilities; availability of light-duty assignments; and the physical limitations imposed on the officer or employee.
  8. Every effort shall be made to assign officers and employees to positions consistent with their rank and pay classification. However, where appropriate, personnel deemed may be assigned to positions designated for personnel of lower rank or pay classification. Employees thus assigned shall:
    - a. Retain the privileges of their rank but shall answer to the supervisor of the unit to which they are temporarily assigned with regard to work responsibilities, scheduling and performance; and,
    - b. Retain the pay classification and related benefits of the position held prior to their assignment to temporary light-duty.
- B. Employees may request light-duty for injuries that are subject to worker compensation.**
1. Employees who are injured on the job and who are eligible for worker's compensation benefits will be assigned to temporary light-duty subject to the following conditions.
    - a. The employee is temporarily unable to perform the full range of his/her regularly assigned duties;
    - b. There is no risk of contagion or infection to other employees; and,
    - c. The City's designated physician approves temporary light-duty for that employee.
  2. The duration of temporary light-duty for an injury covered under the City's Worker's Compensation program will be prescribed by the attending physician. After six months, personnel on temporary light-duty who are not capable of returning to their original duty assignment shall:
    - a. Present a request for extension of temporary light-duty, with supporting documentation, to the Chief of Police or his/her designee; or,
    - b. Pursue other options as provided by employment provisions of this agency or federal or state law.
  3. Employees who have requested light-duty may not refuse temporary light-duty assignments that are supported by and consistent with the recommendations of an attending physician or certified healthcare provider.
  4. An employee on Worker's Compensation will not return to regular duty without first receiving approval from the City's designated physician. Upon receiving approval, the employee must notify his/her immediate supervisor before returning to regular duty.
  5. Employees under this section are prohibited from engaging in uniformed secondary employment.

- C. Employees may request temporary light-duty for off-duty injuries or temporary disabilities that are not subject to Worker's Compensation.
1. Prior to any light-duty assignment, and at such intervals as the Department may thereafter require, a medical doctor, satisfactory to the City must certify that:
    - a. The employee is unable to perform the full range of his/her regular duties;
    - b. That the inability to perform and the conditions causing it are temporary; and,
    - c. That there is no risk of contagion or infection to other employees.
  2. Temporary light-duty will be limited to ninety (90) consecutive calendar days with the exception of employees on light-duty due to pregnancy. The Chief of Police or his/her designee may extend this time period on a case-by-case basis.
  3. The status and physical condition of any employee on temporary light-duty will be evaluated at least every thirty (30) days by the Chief of Police or his/her designee. The employee may be required to provide a statement from a medical doctor satisfactory to the City, that the employee is still unable to perform the full range of his/her regular duties.
  4. At the conclusion of the authorized temporary light-duty, the employee must either return to full duty or utilize other forms of leave.
  5. Acceptance of temporary light-duty will be voluntary on the part of the employee involved. Sick leave or other available leave may be used if the employee so desires, subject to City and Department policy.
  6. Temporary light-duty is not intended to replace other available leave but to assist the employee from totally depleting leave time. The City has a

long-term disability program, see COPAR 5-1.

D. Request For and Assignment to Temporary Light-Duty:

1. Requests for temporary light-duty assignments shall be submitted to the employee's immediate supervisor. Requests must be accompanied by a statement of medical certification to support a request reassignment, which must be signed by either the treating physician or other licensed healthcare provider. The certificate must include:
  - a. An assessment of the nature and probable duration of the disability;
  - b. Prognosis for recovery;
  - c. Nature of work restrictions; and,
  - d. An acknowledgement by the healthcare provider of familiarities with the light-duty assignment and the fact that the employee can physically assume the duties involved.
2. The request for temporary light-duty and the physician's statement shall be forwarded, through the chain-of-command, to the Chief of Police or his/her designee, who shall make the light-duty assignment.
3. The Department may require the employee to submit to an independent medical examination by a health provider of the agency's choosing. In the event the opinion of the second health provider differs from the foregoing health provider, the employee may request a third opinion at the employee's expense.
4. The employee and representative of this agency shall cooperate and act in good faith in selecting any third healthcare provider, and both parties shall be bound by that medical decision.

**E. Pregnant Employees:**

1. Pregnant employees are eligible for temporary light-duty assignments as available and as appropriate to their physical capabilities and well being.
2. On a monthly basis or other time frame determined by the Chief of Police, pregnant employees shall submit a physician's medical certificates that documents:
  - a. The employee's physical ability to perform the present assigned duties; and,
  - b. The physician's appraisal that the type of work being performed will not injure the employee or her expected child; and,
  - c. Any recommended duty restrictions or modifications including temporary light-duty.
3. Pregnant employees shall be permitted to continue working on regular duty or temporary light-duty assignments as long as the present monthly physician certificates or until such time as a physician recommends that work be curtailed.

**F. Vehicle Assignment:** Officers on light-duty are not eligible to participate in the Take Home Car Program. The Program was initiated to create a greater police presence. If an employee cannot function as an officer due to injury, the effectiveness of the program is negated. Secondly, placing an officer in a cruiser may imply in a legal sense that the officer is capable of taking action which could further injure the officer.